

### **REMARKS**

Claims 1-3, 5-7, 9-15, 18, 19 and 25 were pending in the above-identified application. Claims 1-3, 5-7, 9-15, 18, 19 and 25 were rejected. With this Amendment, claims 1, 15, and 25 have been amended and claims 26-31 have been added. Accordingly, claims 1-3, 5-7, 9-15, 18, 19, and 25-31 are at issue.

#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 1-3, 5-7, 9-15, 18, 19 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Shishido et al.*, U.S. Patent No. 5,869,782 and *Ware et al.*, U.S. Patent No. 5,537,573. Applicant respectfully traverses this rejection.

Although Applicants do not agree with the rejection, to further prosecution, Applicants have amended independent claim 1 to further clarify Applicants' invention. In particular, claim 1 has been clarified to recite that the data block to be used repeatedly is temporarily stored in a separate medium from the remaining data blocks. The specification describes that, from the data decoding section 11, the data block to be used repeatedly is stored on recording device or medium 13 (page 8, lines 18-19), while the remaining data blocks are sent to the audio reproduction buffer of the audio decoding section 14 (page 12, lines 8-10).

Neither *Shishido* nor *Ware*, alone or in combination, disclose or suggest that a data block to be used repeatedly is temporarily stored in a separate medium. *Shishido* discloses "a compressed file storage medium 11 for recording a compressed file (in which a musical data file is [stored in a] compressed [MIDI type format] by [a] pattern matching method." (See *Shishido*, Col. 9 lines 41-51, Fig. 10.) Assuming *arguendo* that the compressed file stored in *Shishido*'s compressed file storage medium 11 stores blocks of data to be used repeatedly when the file is

reproduced, *Shishido* does not teach storing in a separate medium any block to be used repeatedly from the remaining blocks in the compressed file as required by claim 1. In contrast to Applicant's invention, in the reproducing apparatus disclosed in Fig. 10 of *Shishido*, all blocks of the compressed file are initially stored together in the compressed file storage medium and, when decoded by decoder 12, all musical data blocks are stored temporarily together in the musical data storage medium 13. Applicants submit that, by storing all the decoded data blocks temporarily together, *Shishido* teaches away from digital signal reproducing efficiencies of Applicants' claimed invention.

Likewise, *Ware* does not disclose or suggest that a data block to be used repeatedly is temporarily stored in a separate medium. Therefore, it would not have been obvious for one of ordinary skill in the art to combine the teachings of *Shishido* and *Ware* to derive claim 1, or claims 2-3, 5-7, 9-14, and 26 that depend from claim 1.

Independent claims 15 and 25 as amended include similar limitations to claim 1. Claims 18-19 and 27 depend from claim 15. Thus, claims 15, 18-19, 25, and 27 should be deemed allowable over *Shishido* and *Ware* for at least the same reasons as provided for claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection.

**II. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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